

OFFICE OF THE  
**LEGISLATIVE  
FISCAL  
ANALYST**

JONATHAN C. BALL  
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**MEMORANDUM FOR EXECUTIVE APPROPRIATIONS COMMITTEE**

**FROM:** Steven Allred  
**DATE:** September 14, 2021  
**SUBJECT:** Department of Public Safety Excess Collections Report

The Budgetary Procedures Act (UCA 63J-1) defines “Expendable Receipts” as collections by an agency for expenditures that are limited by a nonstate entity that provides the funds. Further, statute states:

- Each agency may expend expendable receipts in accordance with the terms set by a nonstate entity that provides the funds.
- Expendable receipts are not limited by appropriations.
- Each agency that receives expendable receipts revenue greater than the amount included for a line item by the Legislature in the annual appropriations acts may expend the excess if the expenditure is included in a revised budget execution plan.
- If an agency receives excess expendable receipts revenue that is more than 25% greater than the amount included for a line item by the Legislature in the annual appropriations acts, the agency shall report the excess amount, the source of the expendable receipts, and the purpose for which the expendable receipts will be expended to the Governor's Office of Planning and Budget, the legislative fiscal analyst, and the Executive Appropriations Committee within 60 days of submitting a revised budget execution plan

The Department of Public Safety reports that FY 2021 expendable receipts appropriations in their Emergency and Disaster Management line item totaled \$1,000,000 but actual revenue was \$5,986,945.35. The department explains, “DPS is requesting expendable receipts be increased to \$5,988,000 from \$1,000,000 for JBKA, DPS Emergency & Disaster Management line item. Emergency Management Compact Assistance (EMAC) deployments have steadily increased during the past several years, specifically wildland fire deployments. DPS has received several payments related to these deployments during the past year. Please understand these are reimbursements for local governments which incurred expenses for fighting fires in other states and these reimbursements are all passed through Emergency Management for disbursement. It is difficult to predict the level of disastrous flooding, earthquakes, fires, etc. that other states will have who reach out to Utah for support and so it is difficult to determine what this amount will be when doing budgets.”

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The department also reports that Revenue Transfers appropriated to their Highway Safety line item totaled \$0, but they collected approximately \$625,000. The department explains, “DPS is requesting revenue transfers be increased for JJAA, DPS Highway Safety line item to \$625,000 from \$0. A change in accounting for this revenue occurred in FY2020 and additional appropriation authority is requested for FY 2021 as part of this budget execution plan modification. Again, this is just a change in how revenue was classified between two revenue sources and not an increase in overall funding to Highway Safety.”